

**A CONFIRMING RESOLUTION designating an
"Economic Revitalization Area" under I.C. 6-1.1-
12.1 for property commonly known as 9910
Airport Drive, Fort Wayne, Indiana 46809 (D.P.S.
Co., Inc. d/b/a L&L Fittings)**

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Section 153.02 of the Municipal Code of the City of Fort Wayne, Indiana, of 1993, as amended and I.C. 6-1.1-12.1, to wit:

Attached hereto as "Exhibit A" as if a part herein; and

WHEREAS, said project will create 20 full-time, permanent jobs for a total new, annual payroll of \$421,060, with the average new annual job salary being \$21,053 and retain 95 full-time, permanent jobs for a current annual payroll of \$2,000,000, with the average current annual job salary being \$21,053; and

WHEREAS, the total estimated project cost is \$2,450,000; and

WHEREAS, recommendations have been received from the Committee on Finance and the Department of Economic Development concerning said Resolution; and

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said Resolution; and

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA:**

SECTION 1. That, the Resolution previously designating the above described property as an "Economic Revitalization Area" is confirmed in all respects.

SECTION 2. That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and shall terminate on December 31, 2005.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall apply to a deduction of the assessed value of personal property for new manufacturing equipment.

SECTION 4. That, the estimate of the number of individuals that will be employed or whose employment will be retained and the estimate of the annual salaries of those individuals and the estimate of the value of the new manufacturing equipment, all contained in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably expected to result from the proposed described installation of the new manufacturing equipment.

SECTION 5. The current year approximate tax rates for taxing units within the City would be:

(a) If the proposed new manufacturing equipment is not installed, the approximate current year tax rates for this site would be \$8.5214/\$100.

(b) If the proposed new manufacturing equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$8.5214/\$100 (the change would be negligible).

1 (c) If the proposed new manufacturing equipment is installed, and a deduction
percentage of eighty percent (80%) is assumed, the approximate current year
2 tax rate for the site would be \$8.5214/\$100 (the change would be negligible).

3 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction
from the assessed value of the new manufacturing equipment shall be for a period of five
4 years.

5 **SECTION 7.** The benefits described in the Petitioner's Statement of Benefits can be
reasonably expected to result from the project and are sufficient to justify the applicable
6 deductions.

7 **SECTION 8.** For new manufacturing equipment, a deduction application must
contain a performance report showing the extent to which there has been compliance with
the Statement of Benefits form approved by the Fort Wayne Common Council at the time of
8 filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort
Wayne's Department of Economic Development and must be included with the deduction
application. For subsequent years, the performance report must be updated and submitted
along with the deduction application at the time of filing.

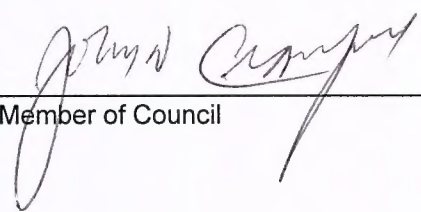
9 **SECTION 9.** The performance report must contain the following information

- 10 (a) The cost and description of real property improvements and/or new
manufacturing equipment acquired.
11 (b) The number of employees hired through the end of the preceding calendar year
as a result of the deduction.
12 (c) The total salaries of the employees hired through the end of the preceding
calendar year as a result of the deduction.
13 (d) The total number of employees employed at the facility receiving the deduction.
14 (e) The total assessed value of the real and/or personal property deductions.
15 (f) The tax savings resulting from the real and/or personal property being abated.


16 **SECTION 10.** That, the taxpayer is non-delinquent on any and all property tax due
to jurisdictions within Allen County, Indiana.

17 **SECTION 11.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that
has received a deduction under section 3 or 4.5 of said chapter may be required to repay the
deduction amount as determined by the county auditor in accordance with section 12 of said
chapter if the property owner ceases operations at the facility for which the deduction was
18 granted and if the Common Council finds that the property owner obtained the deduction by
intentionally providing false information concerning the property owner's plans to continue
operation at the facility.

19 **SECTION 12.** That, this Resolution shall be in full force and effect from and after its
passage and any and all necessary approval by the Mayor.

20
21 
22 _____
Member of Council

23
24 APPROVED AS TO FORM A LEGALITY

25 
26 _____
J. Timothy McCaulay, City Attorney

Read the first time in full and on motion by Crawford,
and duly adopted, read the second time by title and referred to the Committee on
Finance, (and the City Plan Commission for recommendation)
and Public Hearing to be held after due legal notice, at the Common Council Conference
Room 128, City-County Building, Fort Wayne, Indiana, on Tuesday
the 5th day of June, 19 97 at 10:30
o'clock P. M., E.S.T.

DATED: 5-22-97

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Crawford,
and duly adopted, placed on its passage. PASSED
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>6</u>			<u>3</u>
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS				<u>✓</u>
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY				<u>✓</u>
LUNSEY				<u>✓</u>
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			

DATED: 6-10-97

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,
as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL)

(ZONING) ORDINANCE RESOLUTION NO. R-32-97
on the 10th day of June, 19 97

ATTEST: Sandra E. Kennedy SEAL Rebecca Perrine
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the
11th day of June, 19 97
at the hour of 1:30 o'clock P, M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 13th day
of June, 19 97, at the hour of 9:00
o'clock A M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE: Confirming Resolution

DEPARTMENT REQUESTING ORDINANCE: Department of Economic Development

SYNOPSIS OF ORDINANCE: This is to confirm the designation of an Economic Revitalization Area for D.P.S. Co., Inc. d/b/a L&L Fittings for personal property improvements in the amount of \$2,450,000. In order to expand, L&L Fittings will purchase new manufacturing equipment.

EFFECT OF PASSAGE: The effect of passage is the creation of 20 new jobs.

EFFECT OF NON-PASSAGE: The effect of non-passage is the potential loss of 20 new jobs.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): No expenditures of public funds required.

ASSIGNED TO COMMITTEE (PRESIDENT): John Crawford

BILL NO. R-97-05-17

REPORT OF THE COMMITTEE ON FINANCE

JOHN N. CRAWFORD - DONALD J. SCHMIDT - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE TO WHOM
WAS REFERRED AN (~~ORDINANCE~~) XXXXXXX (RESOLUTION) designating an
"Economic Revitalization Area" under I.C. 6-1.1-12.1 for property
commonly known as 9910 Airport Drive, Fort Wayne, Indiana 46809
(D.P.S. Co., Inc. d/b/a L & L Fittings)

HAVE HAD SAID (~~ORDINANCE~~) XXXXXXX (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (RESOLUTION) _____

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Wm W. Caggs

Deirdre Spill

Alfred J. Gurnea

Martin A. Bender

Thomas E. Heyburn

Q. S. [Signature]

DATED:

Sandra E. Kennedy
City Clerk



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

May 28, 1997

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of May 31, 1997,
in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill Nos. R-97-05-16 & R-97-05-17
Bill Nos. R-97-05-27 & R-97-05-28
Revitalization Areas

Please send us 3 copies of the Publisher's Affidavit from both
newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL

(RESOLUTIONS NO. R-97-05-16 AND R-97-05-17)

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA, APPROVED A RESOLUTION ON 5/27/97,
DATE
DESIGNATING PROPERTY AT 9910 Airport Drive, Fort Wayne, Indiana,
(D.P.S. CO., INC., d/b/a L & L Fittings)

AN ECONOMIC REVITALIZATION AREA. A DESCRIPTION OF THE AFFECTED
AREA CAN BE INSPECTED IN THE COUNTY ASSESSOR'S OFFICE.

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER
THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND
CONFIRMED OR RESCINDED ON Tuesday, June 10, 1997, at 5:30 o'clock
DATE, TIME & PLACE
P.M., 1st Floor, City-County Building, Common Council Conference Room 128,
Fort Wayne, Indiana

IF CONFIRMED, SAID DESIGNATING SHALL CONTINUE FOR ONE (1)
YEAR AFTER CONFIRMATION.

ALL INTEREST PERSONS ARE INVITED TO ATTEND AND BE HEARD
AT THE PUBLIC HEARING.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN
DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND
FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION"
SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219)427-1120, TTY
(219)427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE
MEETING.

SANDRA E. KENNEDY
CITY CLERK

FORT WAYNE COMMON COUNCIL
(Governmental Unit)To: The News-Sentinel
P.O. Box 100
Fort Wayne, IN Dr.

ALLEN County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

37 lines, 1 columns wide equals 37 equivalent lines
at .364 cents per line\$ 13.47Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 14.47

DATA FOR COMPUTING COST

Width of single column 12.5 emsNumber of insertions 1Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: JUNE 2, 19 97Title: Jamie M. Custer Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL

(RESOLUTIONS NO. R-97-05-16 AND R-97-05-17)

Notice is hereby given that the Common Council of the City of Fort Wayne, Indiana, approved a resolution of 5/27/97, designating property at 9910 Airport Drive, Fort Wayne, Indiana, an Economic Revitalization Area. A description of the affected area can be inspected in the county assessor's office.

Common council will conduct a public hearing on whether the above described resolution should be confirmed, modified and confirmed or rescinded on Tuesday, June 10, 1997, at 5:30 o'clock p.m. 1st floor, City-County Building, Common Council Conference Room 128, Fort Wayne, Indiana

If confirmed, said designating shall continue for one (1) year after confirmation.

All interest persons are invited to attend and be heard at the public hearing.

"Reasonable Accommodations" for persons with a known disabling condition will be considered in accordance with state and federal law. Any person needing a "Reasonable Accommodation" should notify Public Information Office (219) 427-1120, TTY (219) 427-1200, at least seventy-two (72) hours prior to the meeting.

Sandra E. Kennedy
City Clerk
#4321415-31
Allen CountyPersonally appeared before me, a notary public in and for said county and state, the undersigned JAMIE M. CUSTER who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time 5-31-97, the dates of publication being as follows:Subscribed and sworn to before me this 2nd day of JUNE, 19 97.Mary L. Schneider
Notary Public

MARY L. SCHNEIDER

NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

My commission expires:

MY COMMISSION EXP JUNE 14, 1997

FORT WAYNE COMMON COUNCIL

(Governmental Unit)

ALLEN

County, Indiana

To:

The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN

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State of Indiana)

) ss:

Allen County)

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NOTARY PUBLIC STATE OF INDIANA
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Sandra E. Kennedy
City Clerk
#432141